

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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EYVETTE TALLEY,
Plaintiff,

v.

DRESSON, *et al.*,
Defendants.

Case No. 2:23-cv-02140-CDS-EJY

ORDER

On December 28, 2023, Plaintiff, who was an inmate in the custody of the Nevada Department of Corrections, submitted an application to proceed *in forma pauperis* together with a Civil Rights Complaint under 42 U.S.C. § 1983. ECF Nos. 2, 2-1. The return address on the documents received by the Court was the Florence McClure Women’s Correctional Center (“FMWCC”). On January 4, 2024, mail sent to Plaintiff was returned as undeliverable stating “[Plaintiff] has been discharged from FMWCC.” ECF No. 3. The Court notes Plaintiff’s Complaint states she is incarcerated at the Wyoming Women’s Center. ECF No. 2-1 at 2. Presently, the Court has no information regarding Plaintiff’s whereabouts.

Plaintiff must update her address in accordance with Nevada Local Rule IA 3-1. This Rule states: a “pro se party must immediately file with the court written notification of any change of mailing address, email address, telephone number, or facsimile number. The notification must include proof of service on each opposing party or the party’s attorney. Failure to comply with this rule may result in the dismissal of the action, entry of default judgment, or other sanctions as deemed appropriate by the court.”

The Court also finds Plaintiff’s application to proceed *in forma pauperis* for (ECF No. 2) is moot because it is based on outdated financial information. Plaintiff is advised that as of December 1, 2023, the fee for filing a civil-rights action is \$405, which includes the \$350 filing fee and \$55 administrative fee. *See* 28 U.S.C. § 1914(b).

1 Based on the foregoing, IT IS HEREBY ORDERED that Plaintiff **must** file an updated
2 address with the Court no later than **April 1, 2024**.

3 IT IS FURTHER ORDERED that Plaintiff's application to proceed *in forma pauperis* (ECF
4 No. 2) is DENIED without prejudice as moot.

5 IT IS FURTHER ORDERED that on or before **April 1, 2024**, Plaintiff must either pay the
6 \$405 filing fee for a civil action or file with the Court: (1) a complete **Application to Proceed in**
7 **Forma Pauperis for Inmate** on the Court's approved form; (2) a **Financial Certificate** properly
8 signed by both the inmate and a prison or jail official; and (3) a copy of the **inmate's prison or jail**
9 **trust fund account statement for the previous six-month period**.

10 IT IS FURTHER ORDERED that the Court will retain Plaintiff's Complaint (ECF No. 2-1)
11 but will not file it at this time.

12 IT IS FURTHER ORDERED that the Clerk of the Court must send Plaintiff a copy of this
13 Order and the approved form application to proceed *in forma pauperis* for inmate along with the
14 information and instructions for filing the same to the following addresses:

15 Florence McClure Women's Correctional Center
16 4370 Smiley Road
Las Vegas, NV 89115

Wyoming Women's Center
1000 West Griffith
Lusk, WY 82225

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18 IT IS FURTHER ORDERED that Plaintiff's failure to timely comply with this Order will
19 result in a recommendation to dismiss this action **without prejudice**. A dismissal without prejudice
20 allows Plaintiff to file her case with the Court, under a new case number, when she can comply with
21 LSR 2-1 and file a complete application to proceed *in forma pauperis* or pay the required filing fee.

22 Dated this 2nd day of February, 2024.

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24 
25 ELAYNA J. YOUCHAK
26 UNITED STATES MAGISTRATE JUDGE
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